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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/743,214

12/22/2003

Karen Brodersen

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EXAMINER

HICKS, MICHAEL J

ART UNIT

PAPER NUMBER

2165

MAIL DATE

DELIVERY MODE

02/23/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<p align="center">Advisory Action Before the Filing of an Appeal Brief</p>	<p>Application No. 10/743,214</p>	<p>Applicant(s) BRODERSEN ET AL.</p>	
	<p>Examiner MICHAEL J. HICKS</p>	<p>Art Unit 2165</p>	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 08 February 2010 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☒ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☒ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☒ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: See Continuation Sheet. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☒ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: _____.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information *Disclosure Statement*(s). (PTO/SB/08) Paper No(s). _____.
13. ☐ Other: _____.

/Neveen Abel-Jalil/
Supervisory Patent Examiner, Art Unit 2165

Continuation of 3. NOTE: As discussed in the interview conducted on 2/17/2010, the amendments made to claims 73 and 74 introduce limitations which were not present in the prior claims listings and require at least additional consideration of the applied prior art and may potentially require further search.

Continuation of 11. does NOT place the application in condition for allowance because:

In response to Applicants arguments regarding Claim 39, Examiner respectfully disagrees. Examiner notes that the claims do not state that the basis of denial of access to the at least one other virtual database is that the at least one other virtual database corresponds to at least one tenant other than the first tenant, but rather the denial of access is based on access to the first virtual database (i.e. the fact that the second virtual database corresponds to a second tenant is not the causal factor in denial of access to the second database). As such, Examiner asserts that the citation of Section 7.8 of Sandhu clearly discloses the final limitation of Claim 39 and further asserts that the claim language does not require a teaching that access corresponding to one administrator should be restricted due to a grant of access by another administrator as argued by Applicant.

In response to Applicants arguments directed towards Claims 73 and 74, Examiner notes that after further examination of the art of Sandhu, Examiner has concluded that while Applicant is correct in pointing out Sandhus disclosure that products restricting users to activation of one role at a time are precluded, that this is not intended to preclude the possibility of having a user with only one active role at a given time, but rather is intended to preclude the possibility of having a user with only one active role at all times (i.e. a user who is restricted to one, and only one, role). Examiner evidences this by Sandhus statement in Section 2.1 that "the same use can be assigned to many roles". Examiner notes that Sandhu does not state that a user must be assigned to many roles. This idea appears again on Page 5, Column 2, Paragraph 1, where Sandhu states that the NIST model "does require the ability to activate multiple roles simultaneously and in a single session. This precludes products that limit users to activation of a single role in a session." Again in this section, Sandhu does not restrict a user from being assigned a single role at a given point in time, but only requires that a single role cannot be assigned for an entire session (e.g. requires the ability to assume a different single role at another point in the session, or multiple roles simultaneously).

In light of the above arguments, Applicants arguments are not considered to be persuasive and the rejection will be maintained.